IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 1906 of 2002

Between:

1 K.Venkateswarlu, S/o. K.Subbaiah.
R/o. Near Gas Godown, Kothapet,
Chirala, Prakasam.
2 T.Krishna Murthy, S/o. Late Venkata Subbaiah.
R/o. 22-15-34A, Wood Nagar,
Chirala, Prakasam.
3 K.Satyanarayana, S/o. K.Appaldas.
R/o. 213, MGH Colony, Chirala,
Prakasam.
4 A.P.Gopala Rao, S/o. A.Ramakotaiah.
R/o. College Campus, Odarevuroad,
Chirala, Prakasam.
5 K.Pitchaiah, S/o. Venkaiah.
R/o. College Campus, Odarevuroad,
Chirala, Prakasam.
6 H.R.Sekar, S/o. Mallaiah Setty.
SKP Temple Street, Pavagada,
Tumkur district, Karnataka.
7 Smt.A.Sarada, W/o. Late A.Pullaiah.
C/o. A.Ramesh gopal, 25/6, M.M.Road,
Adoni.
8 K.Nazma Sultana, W/o. K.Abdul Kareem.
R/o. 2/805, Sharadanagar,
Adoni.
9 T.Prahladachar, S/o. T.Vasudeva Char,
R/o. 288, 21st Main, B.T.M.Rayous II Stage,
Bangalore.

..... PETITIONERS

AND

The Government of Andhra Pradesh, Rep. by its Principal Secretary.

Finance and Planning Department, Secretariat Buildings,
Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, or order or directions more in the nature of Writ of Mandamus declaring the action of the respondent in not granting the consolidation of pension to the petitioners w.e.f. 01/01/96 along with the D.A. granted in paragraph 2 of G.O. (P).No.116, finance and Planning (FW.Pen.1) Department dated 01/08/2000 as illegal, arbitrary, discriminatory and against the provisions of Article 14 and 16 of the Constitution of India and consequently direct the respondent to fix the consolidation of pension to the petitioners and other similarly situated persons w.e.f. 01/01/1996 by granting D.A. as per paragraph 2 of G.O.(P).No.116 Finance and Planning (FW.Pen1) Department dated 25/08/2000 and as is enhanced from time to time with monetary benefit from 01/01/96.

Counsel for the Petitioner: MR.P.V.S.S.S.RAMA RAO

Counsel for the Respondent: GP FOR FINANCE & PLANNING

The Court made the following :

THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.1906 OF 2002

ORDER:

This writ petition is filed to declare the action of the respondents in not granting consolidated pension to the petitioner with effect from 1.1.1996 along with D.A. granted in para-2 of G.O.(P).No.116 Finance and Planning (FW.Pen.1) Department dated 25.8.2000 vide G.O.(P).No.95 dated 1.8.2000, as illegal and arbitrary.

The said G.Os., have come up for consideration before this Court in W.P.No.13680 of 2001 and Batch, wherein this Court held that there is no irrationality, hostile discrimination, perversity or arbitrariness in the decision of the State qua the impugned orders.

Following the said judgment, this writ petition fails and is accordingly dismissed. No order as to costs.

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K.C.BHANU,J

13th June, 2005.

Mdaa

Copy to:

1. The Principal Secretary, Government of Andhra Pradesh,
   Finance and Planning Department, Secretariat Buildings,
   Hyderabad.

2. Two C.Cs to G.P.for Finance and Planning, High Court of A.P., Hyderabad (OUT).

3. Two C.D.copies.